

January 29, 2019

**BY CM/ECF**

Hon. Kenneth F. Ripple  
Judge, U.S. Court of Appeals for the Seventh Circuit  
Robert A. Grant Federal Building and U.S. Courthouse  
204 South Main Street, Room 208  
South Bend, IN 46601

Hon. William C. Griesbach  
Chief Judge, U.S. District Court for the Eastern District of Wisconsin  
Jefferson Court Building  
125 South Jefferson Street, Room 203  
Green Bay, WI 54301

Hon. James D. Peterson  
Chief Judge, U.S. District Court for the Western District of Wisconsin  
United States District Court  
120 N. Henry St., Rm. 320  
Madison, WI 53703

Re: *William Whitford, et al. v. Beverly Gill, et al.*, No. 15-cv-421-jdp

Dear Judges Ripple, Griesbach, and Peterson:

We received the Court's January 23, 2019 Opinion and Order, denying the Assembly's motion to dismiss, granting in part and denying in part the Assembly's motion to stay pending the U.S. Supreme Court's resolution of *Rucho v. Common Cause*, No. 18-422 (U.S.), and *Lamone v. Benisek*, No. 18-726 (U.S.), and resetting the trial commencement date to July 22, 2019. I write for all counsel for the plaintiffs, on behalf of the plaintiffs, respectfully to request that the Court reset the trial to commence between July 8 and July 15.

We understand the Court's reasoning for resetting the trial to July 22 in light of the U.S. Supreme Court's anticipated resolution of *Rucho* and *Lamone* by the end of this June, including the tasks the Court anticipates might be required between the date on which *Rucho* and *Lamone* are decided, and the July 22 trial commencement date. The Court has scheduled a telephone conference for Friday, February 1, to give counsel for the parties "an opportunity to provide input on the proposed July 22 trial date, deadlines for updated expert reports, and a post-trial briefing

schedule.” Plaintiffs and their counsel believe that it would be most productive and informative for the purposes of the telephone conference to alert the Court now of conflicts in the schedules of several members of their trial team that will prevent those lawyers from appearing at a trial commencing on July 22. Specifically, Attorney Ruth Greenwood and Professor Nicholas Stephanopoulos are expecting a child on July 20, and Attorney Annabelle Harless is scheduled to travel internationally between July 19 and August 5.

Attorneys Greenwood and Harless and Professor Stephanopoulos have been an integral part of the plaintiffs’ legal team and participated in the first trial in May 2016, and are expected to play a significant role in the trial on remand. If the trial remains scheduled to commence on July 22, they would be unable to participate in the trial. We therefore respectfully request that the Court reset the trial to commence between July 8 and July 15, and we will be prepared to discuss that request in the telephone conference on Friday.

Respectfully submitted,

*/s/Douglas M. Poland*

Douglas M. Poland

cc: All counsel of Record (by CM/ECF)